

App. No. 09/975,407  
Amendment mailed December 23, 2003  
Re: Office Action mailed September 23, 2003

**REMARKS**

In response to the Office Action mailed September 23, 2003, and the conference with the Examiner on December 22, 2003, the Applicant respectfully requests that the Examiner enter the above amendments and consider the following remarks. Claims 1, 3, 6, 8-11, 13, and 15-20 have been amended to more clearly describe the invention, and new claims 21-28 have been added. In addition, claims 2 and 7 have been canceled without prejudice. As a result, claims 1, 3-6, and 8-28 are still pending in the application. The Applicant respectfully requests further examination and reconsideration of the application in light of the amendments and accompanying remarks.

**Objection to the Specification**

The Examiner's objection to the specification filed with the case is hereby noted. The Applicant respectfully requests the Examiner to hold the objection to Table 1 in abeyance until such time that allowable subject matter is indicated.

**Rejection of Claims 1-7, 10-12, and 14 Under 35 U.S.C. § 102(b)**

The Examiner rejected claims 1-7, 10-12, and 14 under 35 U.S.C. § 102(b) as being anticipated by Todd. The Applicant respectfully traverses the rejection.

The Applicant respectfully submits that Todd does not teach in situ treatment of a fresh water source. In fact, the object of Todd is to treat ocean salt water. The Applicant has amended the claims to distinguish and more clearly describe the invention. The claimed invention is an in situ method for treating a fresh water source,

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wherein an undesirable component is removed from the treated water and left in the fresh water source. Such a method is not taught or suggested by Todd. Therefore, the Applicant respectfully submits that Todd cannot support the rejection of claims 1, 3-6, 10-12, and 14 under 35 U.S.C. § 102(b).

Rejection of Claims 1-7, 9-12, and 14-16 Under 35 U.S.C. § 102(b)

The Examiner rejected claims 1-7, 9-12, and 14-16 under 35 U.S.C. § 102(b) as being anticipated by Watkins. The Applicant respectfully traverses the rejection.

Similar to Todd, Watkins is also directed to a system for treating salt water. Watkins fails to teach or suggest the invention as set forth in the amended claims. Therefore, the Applicant respectfully submits that Watkins cannot support the rejection of claims 1, 3-6, 9-12, and 14-16 under 35 U.S.C. § 102(b).

Rejection of Claims 1, 3, 7, 8, 11, 12, and 14 Under 35 U.S.C. § 102(b)

The Examiner rejected claims 1, 3, 7, 8, 11, 12, and 14 under 35 U.S.C. § 102(b) as being anticipated by Fok et al. The Applicant respectfully traverses the rejection.

As noted by the Examiner, Fok et al. is directed to a process for treating sea water. Fok et al. provides no motivation for an in situ process for treating a naturally occurring fresh water source as set forth in the amended claims. Therefore, the Applicant respectfully submits that Fok et al. cannot support the rejection of claims 1, 3, 8, 11, 12, and 14 under 35 U.S.C. § 102(b).

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Rejection of Claims 3-5, 8, 15, 18, and 20 Under 35 U.S.C. § 103(a)

The Examiner rejected claims 3-5, 8, 15, 18, and 20 under 35 U.S.C. § 103(a) as being obvious over Todd in view of Carpenter. The Applicant respectfully traverses the rejection.

The shortcomings of Todd have previously been set forth. Carpenter also fails to teach or suggest an in situ process for the treatment of a fresh water source. In particular, the object of Carpenter is to use reverse osmosis to treat a salt water source. As a result, the references do not teach or suggest the invention set forth in the amended claims. Therefore, the Applicant respectfully submits that Todd in view of Carpenter cannot support the rejection of claims 3-5, 8, 15, 18, and 20 under 35 U.S.C. § 103(a).

Rejection of Claims 9, 13, 16, 17, and 19 Under 35 U.S.C. § 103(a)

The Examiner rejected claims 9, 13, 16, 17, and 19 under 35 U.S.C. § 103(a) as being obvious over Todd in view of Carpenter and further in view of Chancellor et al. The Applicant respectfully traverses the rejection.

Chancellor et al. does not overcome the lack of teaching of the other references with regard to the independent claims, as amended. As shown in Figure 1, Chancellor et al. teaches a system in which the water is pumped out of the source and then into a vessel for treatment. Furthermore, it is respectfully submitted that Chancellor et al. does not teach or suggest a process in which a naturally occurring flow carries an undesired component away from a fine porous device and leaves it in a water source.

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Instead, Chancellor et al. teaches a system in which the waste is flushed out of the water source. Therefore, the Applicant respectfully submits that Todd in view of Carpenter and further in view of Chancellor et al. cannot support the rejection of claims 9, 13, 16, 17, and 19 under 35 U.S.C. § 103(a).

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Conclusion

The Applicant has distinguished claims 1, 3-6, and 8-28 over the cited references. Therefore, the Applicant respectfully submits that the present application is now in condition for allowance, and such action is earnestly requested.

Respectfully submitted,

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